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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION THREE

In re B.B. et al., Persons Coming Under the
Juvenile Court Law.

ORANGE COUNTY SOCIAL SERVICES
AGENCY,

Plaintiff and Respondent,

v.

LAUREN B.,

Defendant and Respondent.

B.B. et al.,

Appellants.

G056641

(Super. Ct. Nos. 17DP0349,
17DP0350 & 17DP0351)

O P I N I O N

Appeal from an order of the Superior Court of Orange County, Gary L.
Moorhead, Judge. Affirmed.

Marsha F. Levine, under appointment by the Court of Appeal, for
Appellants.

Leon J. Page, County Counsel, Karen L. Christensen and Jeannie Su,
Deputy County Counsel, for Plaintiff and Respondent.

Pamela Rae Tripp for Defendant and Respondent.

* * *

INTRODUCTION

B.B. (born February 2013), T.B. (born September 2014), and N.B. (born December 2016) (collectively the Children) were taken into protective custody in April 2017. They appeal from the juvenile court's order, made at a combined six-month review/12-month review hearing, returning them to the custody of their mother, Lauren B. (Mother). The issue presented is whether substantial evidence supported the juvenile court's finding, made pursuant to Welfare and Institutions Code section 366.21, subdivisions (e)(1) and (f)(1),¹ of no substantial detriment to the Children if returned to Mother. We conclude substantial evidence supported that finding and therefore affirm.

FACTS AND PROCEDURAL HISTORY

I. The Dependency Petition

On March 30, 2017, N.B. was taken to a hospital where he was found to have a proximal humeral diaphyseal fracture and a left distal radial buckle fracture. A skeletal survey revealed N.B. had nine to 11 possible fractures in various stages of healing. Daphne Wong, M.D., of Children's Hospital of Orange County (CHOC), believed that "[e]leven fractures in different stages of healing is highly suspicious for abuse." The Children were placed in protective custody.

In April 2017, Orange County Social Services Agency (SSA) filed a petition (the Petition) alleging, as later amended, that near the end of March 2017, N.B., who was then three months old, had been severely physically abused by the Children's father, Matthew P. (Father). The Petition made the following allegations. N.B. had

¹ Undesignated code references are to the Welfare and Institutions Code.

suffered a humeral fracture and a radial fracture and was found to have 11 other fractures in varying stages of healing. Those injuries, according to competent medical opinion, were “the result of multiple acts of nonaccidental trauma to the child.” Father had claimed N.B. injured himself by falling out of swing from 14.5 inches above a carpeted floor, but that child abuse specialists believed such a fall could not have caused N.B.’s injuries. In September 2015, T.B. had suffered a transverse fracture of the tibia and left fibula. Father had an unresolved substance abuse problem, might have unresolved mental health issues, and had a criminal history. Mother and Father had had a history of at least 10 separate incidents of domestic violence.

With respect to all three Children, the Petition alleged a claim under section 300, subdivision (b)(1) (failure to protect). With respect to N.B. and T.B., the Petition alleged a claim under section 300, subdivision (a) (serious physical harm), with respect to N.B. alleged a claim under section 300, subdivision (e) (severe physical abuse—child under five), and with respect to B.B. and T.B. alleged a claim under section 300, subdivision (j) (abuse of sibling).

II. Detention Hearing; Evidence Code Section 730 Evaluations

At the time of N.B.’s most recent injuries, Mother was in Las Vegas attending a friend’s wedding. Mother told the social worker that she had had no concerns about leaving the Children in Father’s care and denied that Father was capable of harming them. As for N.B.’s previous injuries (as shown by his numerous fractures in varying stages of healing), Mother told the social worker she was unaware of those injuries and had no explanation as to how they were sustained. Father denied current domestic violence and substance abuse and, despite an extensive record obtained from the California Department of Justice, denied having a criminal history other than traffic infractions.

At the detention hearing on April 4, 2017, the juvenile court ordered the Children detained and vested custody with SSA. The court authorized supervised visitation for Mother of two hours per day and monitored visitation for Father of eight hours per week. On March 31, 2017, B.B. and T.B. had been placed in the home of their paternal grandparents. On April 6, N.B. was placed in a medical foster home, where he remained until November 21, when he was moved to another foster home.

On April 19, 2017, the assigned social worker interviewed Mother. She stated she did not believe Father had abused N.B. and, not having seen the X-rays, questioned whether N.B. had suffered fractures. She claimed N.B. has as an “underlying condition that caused him to sustain the injuries” and that he “was never crying and never acting hurt at all.” Mother also claimed Father’s substance abuse issues had been resolved and he participated in therapy to deal with stress. Several weeks later, Mother told the social worker that “a specialist” from her “home state” had suggested N.B. might have a genetic hypermobility disorder called Ehlers-Danlos Syndrome. The social worker spoke with Dr. Wong, who said Ehlers-Danos Syndrome would not cause the type of fractures seen on N.B.

An addendum report dated July 18, 2017 reported Mother had completed a parent education class and had enrolled in a personal empowerment program, a child abusers treatment program, and counseling. A few weeks later, she was half way through the personal empowerment program and attending codependency anonymous meetings. Mother and Father were no longer together, and he lived in Arizona.

On July 25, the social worker met with Dr. Wong, who reported that N.B.’s X-rays had revealed four acute fractures and nine healing fractures. Dr. Wong believed there was no medical explanation for N.B.’s injuries and opined they were the result of nonaccidental trauma. Dr. Wong believed that B.B. and T.B. had also sustained injuries.

In an addendum report dated August 2, 2017, SSA concluded it would not be in the Children’s best interests for Mother and Father to receive services and services

likely would not prevent more abuse. According to the social worker, N.B. had “received injuries at multiple times,” which “indicated a pattern of abuse.” Although N.B.’s most recent injuries occurred while in the care of Father, the social worker believed that Mother “should have known of the [previous] injuries and attempted to stop the injuries from occurring.”

On August 2, 2017, the juvenile court authorized funding for an Evidence Code section 730 evaluation of Mother and appointed Dr. Joe Timothy Green to conduct the evaluation. The court’s referral order specified the primary reason for the evaluation was to determine whether, if Mother were offered reunification services, those services likely would “prevent reabuse of continued neglect of the [C]hildren” and whether services likely would change Mother’s “behavior or pattern of behavior.”

The juvenile court received Dr. Green’s report on August 31, 2017. Dr. Green concluded Mother would benefit from reunification services and made treatment recommendations.

SSA disagreed with Dr. Green’s conclusion and, in an addendum report dated September 25, 2017, asserted many statements made in Dr. Green’s report were inaccurate or “simplified inaccurately.” SSA continued to recommend that neither Mother nor Father receive services. SSA reported, however, that Mother had attended 14 of 52 sessions of the child abusers treatment program, had been rated as “making good effort” in her skills development and use of learned skills, continued to make progress toward her goals, regularly attended codependents anonymous meetings, and regularly saw a psychotherapist.

On September 11, 2017, the juvenile court found the allegations of the Petition true by a preponderance of the evidence and found the Children to come within the provisions of section 300, subdivisions (a), (b), (e), and (j).

In October 2017, the juvenile court appointed Martha Lee Rogers, M.D., to conduct a second Evidence Code section 730 evaluation of Mother. The reason for the

referral was the same as that for Dr. Green's referral but also asked: "Based on the facts of the case found true by the court, did [M]other know or reasonably should have known the child, [N.B.], was being abused by[F]ather?"

Dr. Rogers concluded services offered to Mother likely would prevent reabuse or continued neglect and services would alter her "patterns of anticipating potential risk or injury." Dr. Rogers explained, "Given [Mother's] psychological make-up, her prior traumatic losses, I think [Mother] was not fully aware and perhaps could not allow herself to be" and "[m]any people would have suspected by this time, but given [Mother's] psychological make-up, and her need to hold on to the marriage, to respond to husband's complaints by blaming herself, she did not put it together."² Although Mother had been "in marked denial for a time," Dr. Rogers believed that Mother was "making progress and moving through it."

The assigned social worker deferred to Dr. Rogers's opinion. In an addendum report dated November 16, 2017, SSA recommended family reunification services for Mother.

III. Disposition Hearing

In an addendum report dated January 8, 2018, SSA reported that Mother had said she was still participating in all of her voluntary services. An addendum report dated January 18, 2018 referred to a report submitted by Laura Campana, owner of Action Consultants Therapy, regarding Mother's attendance in a child abusers treatment program. Campana reported that Mother had completed 30 of 52 sessions and described her prognosis as good. In her report, Campana wrote: "[Mother] continues to make excellent progress towards her therapeutic goals. She maintains [a] positive outlook and appears very well balanced in her mental status and ability to organize her time with her

² Mother and Father, though in a relationship for 10 years, never married.

children as a priority. She demonstrates grace under stress and is eager to learn about increasing her positive parenting skill set.”

The disposition hearing was conducted over several days in January and February 2018. Mother testified that before N.B.’s most recent injuries she did not know N.B. had older fractures as he “had been acting normally up to that point.” Mother did not know how long N.B. had been abused and believed she had not contributed to causing any of his bone fractures. She acknowledged there had been domestic violence with Father in the past, but not recently, and Father had issues with drugs and alcohol, criminal arrests, and psychological issues. Nonetheless, she left the Children alone in his care. Mother believed Father was addressing his issues in therapy and understood “everything had been going okay.” Mother had ceased communicating with Father in July 2017 when she received information from CHOC about what had happened to N.B. Mother now realizes she had codependency issues causing her to be in a bad relationship. She would not allow Father to be around the Children and testified, “I don’t want my kids to ever be in that situation again.”

Social worker Margaret Vanek testified she changed her recommendation regarding family reunification services based on Dr. Rogers’s psychological evaluation. She recalled that Dr. Rogers had reported, based on Mother’s psychological makeup and past history of trauma, that Mother would not have known that N.B.’s injuries occurred. Vanek testified she found it difficult to believe that a mother would not know on at least five occasions her children had broken bones. Despite her disbelief, she deferred to Dr. Rogers’s psychological evaluation and opinion to the contrary and now believes it would be in the Children’s best interests to allow Mother to pursue reunification.

Vanek testified that Mother’s failure to acknowledge all of Father’s problems or all the domestic violence incidents might indicate she was minimizing the problems. As to whether Mother had taken responsibility for the Children having 15 broken bones, Vanek testified that Mother had acknowledged the injuries were not

medical and that Father had manipulated her. Mother had shown progress by ending her relationship and contact with Father and had taken steps to protect herself by obtaining a restraining order against him.

The juvenile court, in rendering its decision, stated it was hard to believe that Mother was unaware of the 15 fractures on two of her three young children. Yet, the court found Mother was credible and did not cause N.B.'s bone fractures. The court found: "I think it's either that she is naïve, in denial, careless, uneducated, or inattentive, but I don't find her to be the offending parent. I think the evidence is more likely than not that she was a non[]offending parent [who] simply didn't recognize the signs because of her inexperience or naivety, her carelessness, or her education in that regard." The court found that Mother, though minimizing, was taking responsibility and making progress.

The court declared the Children to be dependents, removed them from parental custody, and ordered reunification services for Mother only. Mother's case plan included a domestic violence prevention plan, attendance at codependents anonymous meetings, participation in a 52-week child abuser treatment program, and individual therapy.

IV. 60-Day Trial Visit and Mother's Case Plan Progress

In its May 31, 2018 Status Review Report (the May 2018 Report), SSA recommended continuing the hearing to July 31 to accommodate a planned 60-day trial visit scheduled to begin on May 31. According to the May 2018 Report, the Children were doing well in their placements and N.B. no longer had any special medical needs. Mother remained compliant with her case plan, and her service providers reported she was actively participating in her services and had made significant progress. Mother continued to work full-time and had a new job earning almost double her previous salary. Her visitation had increased from supervised and partially unmonitored visits to overnight visits, and the Children appeared to be comfortable and happy in her presence.

As of April 27, Mother was having overnight visits on weekends and daily unmonitored visits with the Children.

According to the May 2018 Report, Mother had made substantial progress with her case plan and continued to participate in individual counseling with her therapist, Dr. Farzaneh Khazrai, who reported that Mother had made significant progress with her treatment goals. Mother had increased insight about how her past affected her codependency issues. She would be able to protect herself and the Children from harm because she had learned the signs of domestic violence and the connection between domestic violence and child abuse. Mother continued to attend the child abusers treatment program, for which she been receiving positive feedback from the service provider, and codependents anonymous meetings.

The May 2018 Report stated it had been decided at a child family team meeting that the Children would begin a 60-day trial visit with Mother on May 31.

Minors' counsel strongly opposed a 60-day trial visit with Mother. At a hearing on May 31, 2018, minors' counsel argued: "We do not believe Mother has made enough progress even at that time for unmonitored visits. She's minimized Father's drug history, criminal history, domestic violence, and we do think given the nature of this case, that it's important to have a hearing before these kids are returned home." County counsel responded: "While we understand the severity of this case, . . . Mother . . . has been participating in her services. She's almost completed her 52-week program. She's participated in the personal empowerment program. She's done her codependants anonymous. [¶] . . . Mother is doing all that [SSA] has asked . . . from her." Father's counsel, siding with SSA and Mother's counsel, acknowledged that Father had abused the Children and that Mother had done everything necessary to protect them.

The juvenile court agreed with SSA and allowed a 60-day trial visitation. While recognizing the seriousness of the allegations, the court found Mother to be in compliance with her case plan "in every respect."

SSA submitted an addendum report dated July 11, 2018 (the July 2018 Report) according to which the Children had begun their 60-day trial visit with Mother on May 31, 2018. The Children were doing well, no concerns were noted, and Mother had been observed using appropriate parenting techniques. Mother had completed the child abusers treatment program with the highest possible score in all areas.

The July 2018 Report included a report from Dr. Khazrai, who informed the social worker that Mother continued to do “really well,” has a good understanding of parenting the Children and has good time management and planning skills. Due to Mother’s progress, Dr. Khazrai was planning to terminate therapy once the 60-day trial visit began. In a later telephone call, Dr. Khazrai told the social worker that she saw no evidence that Mother needed more therapy or might put the Children at risk and that Mother had gained insight about the incident bringing them into the dependency system. Dr. Khazrai believed that Mother had been unaware of N.B.’s injuries because N.B. did not cry or show signs of distress, and the Children’s doctor did not detect anything when N.B. was taken for routine check-ups. In Dr. Khazrai’s opinion, Mother was “in tune” with the Children’s needs, appeared to be very motivated to stay out of trouble, and had a good career which she did not want to place in jeopardy. Mother had insisted she wanted nothing to do with Father and any visits with the Children would be arranged through the paternal grandparents if Father returned to Orange County.

V. Six-Month Review/12-Month Review Hearing

The combined six-month review/12-month review hearing was conducted on July 11, 16, and 31, 2018. The juvenile court received into evidence the May 2018 Report and the July 2018 Report. Dr. Khazrai, Campana, social worker Sayaka Hur, and Mother testified.

Dr. Khazrai testified she had been a licensed practicing therapist for more than 40 years and was Mother’s therapist from January through May of 2018. Dr. Khazrai acknowledged that Mother had not fully disclosed all the domestic violence or

Father's mental health and substance abuse issues described in the SSA reports and had never firmly recognized that N.B. had been abused. Mother had acknowledged that Father must have done something to cause N.B.'s injuries, and Dr. Khazrai believed she had progressed in her therapy. Dr. Khazrai testified that Mother should continue in therapy to address such issues as minimization, domestic violence, and protecting the Children. Dr. Khazrai had no concerns with the Children being in Mother's care.

Campana testified that Consultants Agency is court-approved for domestic violence, child abuse, parenting, anger management, and substance abuse. Mother had completed the child abuse program. Campana had facilitated nearly all 52 of Mother's classes, which focused on developing an understanding of the child abuse laws in California, and addressed family dynamics, family origin issues, elements of power and control, neurodevelopment, and life stages. Because Mother had entered the program voluntarily, Campana did not receive the Petition or any of the SSA reports. Mother had tested clean and sober and had showed up for every class session.

Campana testified Mother had never indicated who was responsible for N.B.'s broken bones and never mentioned that N.B. had been abused. Instead, Mother suggested N.B. might have a medical condition causing brittle bones. Mother did not relate any concerns about domestic violence committed by Father but did accept responsibility for leaving N.B. with him. Campana testified it is "absolutely" important to be forthcoming and a parent who is not forthcoming and honest would not successfully graduate from the class. She agreed that a parent who just showed up and learned the material without processing the material was just going through the motions.

Campana concluded that Mother had met her therapeutic goals; she had "gained increased understanding of the legal definition of child abuse," had "gone through the groups with the foster care," and had seen to the Children's medical care. Mother accepted responsibility for leaving the Children with Father.

Hur testified she had been assigned to the case since February 2018. In response to a question whether Mother had been forthcoming in addressing the issues or the reasons for the Children being in the dependency system, Hur testified, “it’s not [a] simple yes or no question to answer.” Hur was unable to say whether Mother had been forthcoming to Dr. Khazrai and Campana based on their testimony because they might not have understood the questions.

Hur testified Mother did not appear to have made progress with Campana and could not say whether Mother had met her therapeutic goals. Hur believed that Mother had not been forthcoming because she did not tell Campana that N.B. had been physically abused. In Hur’s opinion, Dr. Khazrai did not fully address all of the issues.

Hur testified, however, that Mother had shown progress and increased insight as she progressed through therapy; initially Mother was in denial about the possibility that Father had caused N.B.’s bone fractures, but later acknowledged something must have happened with Father. Hur testified: “Mother and the therapist did talk about how the red flags of perpetrators of domestic violence look like, how domestic violence can relate to child abuse, the therapist did address some of the trauma of the mother’s childhood that could have contributed to mother not catching the red flags with the father of the children. They also address parenting skills, self care, building support systems, and the mother did acknowledge many things that she has learned from the therapy. So I do think that she had made some progress, and the therapist did address therapeutic goals.”

Hur testified that Mother had not precisely said that Father had physically abused N.B.; rather, Mother had said that Father was probably too rough, had anger issues, and snapped. Hur acknowledged that Mother had not told Dr. Khazrai the extent of Father’s drug use. Hur believed that Mother would benefit from more therapy to address her history of domestic violence and how it could affect the parenting and safety of the Children.

Hur believed the Children would be safe in Mother's custody. There was no evidence Father or anyone else had been residing with Mother, and she was now able to recognize the "red flags" for child abuse. Hur testified: "[F]ather is out of the home, out of the state. . . . There has been no evidence that the [F]ather or anybody else is living in the family home. . . . [M]other has been providing all the care that the children need since—during the visits, during the unmonitored visits, but also since the trial visit started on May 31st."

Hur testified that for Mother to have the Children returned to her custody, she would have to increase insight as to what happened to N.B., process her own trauma with her mother so she can better understand why she remains in abusive relationships and avoid returning to them. Mother must show she can consistently and appropriately care for the Children by meeting their needs, increase her parenting skills, and protect herself and the Children from further abuse.

Mother testified next. When asked who had hurt N.B., Mother testified it was Father "absolutely." Mother does not believe N.B.'s injuries were accidental and testified: "I think that [Father] injured [N.B.] and attempted to use the excuse that he fell out of the swing to try to cover up." Mother conceded she initially believed Father's story that N.B. had been injured by falling from a swing. But, since about September 2017, at the time of the first section 730 evaluation, she has believed Father caused N.B.'s injuries and no longer believes N.B.'s fractured bones were caused by a medical condition.

Mother testified she never had the opportunity to tell the social worker or the child abuse facilitator of her later-held belief that Father had abused N.B. and caused his injuries. She claimed that saying Father was "too rough" with N.B. was poor word choice and she meant to say that Father had abused him. She claimed she did bring up Father's drug use and domestic violence with Dr. Khazrai. She was not opposed to more

counseling. Mother was no longer in a romantic relationship with Father and never intends to be in one with him again. She does not want Father to be near the Children.

After Mother had finished testifying, county counsel, Mother's counsel, and Father's counsel asked the court to return the Children to Mother with family maintenance services following the 60-day trial visit. Minors' counsel opposed the request.

VI. The Juvenile Court's Ruling

The juvenile court found that Mother, at the outset of the case, had been either codependent or in denial and, for that reason, did not believe Father had abused the Children. "It is understandable," the court stated, "that she'd look for other reasons initially, like medical abnormalities, to cause such injuries." On witness credibility, the court found: (1) Campana "was not an excellent witness" and the child abuser treatment program was intended for perpetrators; (2) Hur was "competent and truthful" and placed "great weight" on her "observations and interactions with the family;" and (3) Dr. Khazrai was a credible witness albeit with "language issues." The court found Mother had not minimized "to any material degree" Father's domestic violence, criminal record, or drug abuse.

The court granted Mother custody of the Children with family maintenance services to commence at the end of the 60-day trial visit. The court ordered SSA to schedule therapy for Mother as soon as possible and continue weekly unannounced visits for a minimum of three months. A case plan review was scheduled for July 31.

For the July 31 hearing, SSA submitted a report stating Mother had been referred to a new therapist to address the issue of minimization. Hur had completed seven unannounced visits to Mother's home and had no concerns. There was no indication the Children had had unauthorized contact with Father. Mother had a full-time

job and provided a safe place for the Children to live. SSA recommended returning the Children to Mother's custody under a plan of family maintenance.

On July 31, the juvenile court made findings that returning the Children to Mother would not create a substantial risk of detriment to the Children's well-being and that Mother had made substantial progress toward alleviating or mitigating the causes necessitating placement. The court ordered the Children returned to Mother's custody with family maintenance services, Mother to have no unauthorized conduct with Father, and SSA to make an unannounced visit at least once every two weeks. Minors' counsel filed a timely notice of appeal.

DISCUSSION

I. Relevant Law and Standard of Review

Section 366.21 provides that the juvenile court must return a dependent child to parental custody at the six-month or 12-month review hearing "unless the court finds, by a preponderance of the evidence, that return of the child to his or her parent or legal guardian would create a substantial risk of detriment to the safety, protection, or physical or emotional well-being of the child." (*Id.*, subds. (e)(1) [six-month review hearing] & (f)(1) [permanency/12-month review hearing].)

A substantial risk of detriment means that "returning a child to parental custody represents some danger to the child's physical or emotional well-being." (*In re Yvonne W.* (2008) 165 Cal.App.4th 1394, 1400.) "In evaluating detriment, the juvenile court must consider the extent to which the parent participated in reunification services. [Citations.] The court must also consider the efforts or progress the parent has made toward eliminating the conditions that led to the child's out-of-home placement." (*Ibid.*)

We review the juvenile court's detriment finding under the substantial evidence standard. (*In re Yvonne W.*, *supra*, 165 Cal.App.4th at pp. 1400-1401.)

"'Substantial evidence' means evidence that is reasonable, credible and of solid value; it

must actually be substantial proof of the essentials that the law requires in a particular case.” (*Id.* at p. 1401.)

Under the substantial evidence standard of review, we examine the record as a whole in the light most favorable to the prevailing party and resolve all conflicts in support of the juvenile court’s order. (*In re Yvonne W.*, *supra*, 165 Cal.App.4th at pp. 1400-1401.) We draw all reasonable inferences from the evidence to support the juvenile court’s determinations (*ibid.*) and defer to the juvenile court on issues of credibility of the evidence and witnesses (*In re A.J.* (2011) 197 Cal.App.4th 1095, 1103). Our review is limited to determining whether any substantial evidence, contradicted or uncontradicted, supports the juvenile court’s findings and conclusions. (*In re Yvonne W.*, *supra*, 165 Cal.App.4th at pp. 1400-1401.)

II. Substantial Evidence Supported the Juvenile Court’s Detriment Finding.

Substantial evidence supported the juvenile court’s finding that return of the Children to Mother would not create a substantial risk of detriment. As the juvenile court found, Mother was in compliance with her case plan “in every respect;” she had participated in all court-ordered programs and had done everything SSA asked her to do. In the July 2018 Report, SSA noted that the Children had begun their 60-day trial visit with Mother on May 31, the Children were doing well, no concerns were noted, and Mother had been observed using appropriate parenting techniques. Hur confirmed Father was out of the home, believed the Children would be safe in Mother’s custody, and testified Mother now was able to recognize the red flags of child abuse. Both Dr. Khazrai and Hur testified that Mother had made progress in therapy; neither Dr. Khazrai nor Hur had any concern about the Children being in Mother’s care.

Mother had ended her relationship with Father and did not allow him unauthorized contact with the Children. Though initially in denial, Mother had made progress in recognizing that Father had abused N.B. and testified she believed “[Father]

injured [N.B.] and attempted to use the excuse that he fell out of the swing to try to cover up.” Mother testified she never wanted Father to be near the Children. As of July 31, Hur had completed seven unannounced visits to Mother’s home and had no concerns about the Children’s safety.

Minors’ counsel argues substantial evidence did not support the juvenile court’s detriment finding because Mother had failed to fully disclose to Dr. Khazrai and Campana the extent of Father’s domestic violence, drug abuse, and criminal history, and had made an insincere “eleventh hour” acknowledgment of Father’s contribution to N.B.’s injuries. According to Minors’ counsel, both Vanek (who testified at the disposition hearing) and Hur were equivocal about Mother’s progress in her case plan. In sum, Minors’ counsel argues, “until [M]other can stop minimizing the abuse and other past incidents, she will fail to recognize future harm, thereby placing the [C]hildren at risk.”

The basic problem with that argument is it asks us to ignore the standard of review, reweigh the evidence, and consider only the evidence contrary to the juvenile court’s detriment finding. However, “[w]e do not reweigh the evidence or exercise independent judgment, but merely determine if there are sufficient facts to support the findings of the [juvenile] court.” (*In re I.J.* (2013) 56 Cal.4th 766, 773.)

The juvenile court considered the concerns raised by Minors’ counsel and understood that Mother initially had been codependent or in denial about Father. The court identified the “focal issue” to be whether Mother had been covering up for Father and minimizing his conduct, and, therefore, whether Mother had made substantial progress in her case plan. The court found Dr. Khazrai, Hur, and Mother to be credible witnesses and, after weighing the evidence, found that Mother had not minimized Father’s past abuse in any material way. There was evidence sufficient to support a finding that Mother could and would recognize signs of potential child abuse in the future. While there was evidence that could be construed as going the other way, the

only question before us is whether sufficient evidence supported the juvenile court's detriment finding.

DISPOSITION

The order returning the Children to the custody of Mother is affirmed.

FYBEL, J.

WE CONCUR:

ARONSON, ACTING P. J.

IKOLA, J.